

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARDELL NEWTON,

Plaintiff,

No. C 15-03217 WHA

v.

SAN QUENTIN STATE PRISON,

**ORDER TO SHOW CAUSE**

Defendant.

Pro se plaintiff has filed a complaint alleging that defendant delayed in mailing his habeas petition, causing him to miss a deadline. Plaintiff filed a complaint that appears to be based on the same facts in 2013. That complaint was dismissed with prejudice. *See Newton v. San Quentin State Prison*, No. 13-3719 (Dec. 12, 2013) (Dkt. No. 9). Plaintiff is hereby **ORDERED** to show cause why this case should not be dismissed as duplicative of his prior case. Plaintiff shall file a response to this order **NOT TO EXCEED FIVE PAGES** by **SEPTEMBER 24, 2015**.

**IT IS SO ORDERED.**

Dated: September 11, 2015.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE